



Reprinted  
March 1, 2005

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## SENATE BILL No. 376

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DIGEST OF SB 376 (Updated February 28, 2005 6:28 pm - DI 104)

**Citations Affected:** IC 12-7; IC 12-17.2.

**Synopsis:** Committee on child care. Establishes the committee on child care. Specifies areas of study and reporting by the committee. Repeals the law concerning the board for the coordination of child care regulation.

**Effective:** Upon passage.

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**Lawson C, Antich-Carr, Breaux**

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January 11, 2005, read first time and referred to Committee on Health and Provider Services.  
February 17, 2005, amended, reported favorably — Do Pass.  
February 28, 2005, read second time, amended, ordered engrossed.

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SB 376—LS 7867/DI 97+



Reprinted  
March 1, 2005

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

## SENATE BILL No. 376

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 12-7-2-35 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 35. "Committee"  
3 means the following:

4 (1) For purposes of IC 12-8-3, the meaning set forth in  
5 IC 12-8-3-1.

6 (2) For purposes of IC 12-15-33, the meaning set forth in  
7 IC 12-15-33-1.

8 (3) **For purposes of IC 12-17.2-3.2, the meaning set forth in**  
9 **IC 12-17.2-3.2-1.**

10 SECTION 2. IC 12-17.2-3.2 IS ADDED TO THE INDIANA CODE  
11 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
12 UPON PASSAGE]:

13 **Chapter 3.2. Committee on Child Care**

14 **Sec. 1. As used in this chapter, "committee" refers to the**  
15 **committee on child care established by section 2 of this chapter.**

16 **Sec. 2. (a) The committee on child care is established.**

17 **(b) The committee consists of the following voting members:**



SB 376—LS 7867/DI 97+

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(1) Two (2) members of the house of representatives appointed by the speaker of the house of representatives. Members appointed under this subdivision may not be members of the same political party.

(2) Two (2) members of the senate appointed by the president pro tempore of the senate. Members appointed under this subdivision may not be members of the same political party.

(3) The director of the division of family and children or the director's designee.

(4) The commissioner of the department of workforce development or the commissioner's designee.

(5) One (1) individual who holds a degree in the study of early childhood development.

(6) One (1) administrator of an elementary school.

(7) One (1) individual who operates or administers a Head Start program.

(8) One (1) individual who operates or administers a child care center.

(9) One (1) individual who operates or administers a class I child care home.

(10) One (1) individual who operates or administers a class II child care home.

(11) One (1) individual who operates or administers a child care ministry.

(12) One (1) individual who operates or administers an after school care program.

(13) One (1) individual who operates or administers child care in an employer offered setting.

(14) One (1) individual who is a consumer of child care and who does not operate or administer a child care program.

(15) The state fire marshal or the state fire marshal's designee.

(c) The president pro tempore of the senate shall appoint the members listed in subsections (b)(5), (b)(8), (b)(9), (b)(12), and (b)(14). In making the appointments, the president pro tempore of the senate shall attempt to appoint individuals that represent both rural and urban areas. The senate pro tempore shall appoint a member described in subsection (b)(2) as chairperson of the committee in 2006.

(d) The speaker of the house of representatives shall appoint the members listed in subsections (b)(6), (b)(7), (b)(10), (b)(11), and (b)(13). In making the appointments, the speaker of the house of

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representatives shall attempt to appoint individuals that represent both rural and urban areas. The speaker of the house of representatives shall appoint a member described in subsection (b)(1) as chairperson of the committee in 2005.

Sec. 3. The committee shall operate under the policies governing study committees adopted by the legislative council. However, the committee shall meet throughout the year at the call of the chairperson, except when the general assembly is in session.

Sec. 4. The affirmative votes of a majority of the voting members appointed to the committee are required for the committee to take action on any measure, including final reports.

Sec. 5. (a) The committee shall:

- (1) study the system of child care regulation; and
- (2) report and make recommendations concerning the system of child care regulation to the legislative council not later than:

(A) October 31, 2005; and

(B) October 31, 2006.

(b) The committee's recommendations under subsection (a) must further the following child care regulation purposes:

- (1) To provide support for families in need of reliable, high quality child care.
- (2) To encourage and support high quality child care providers.
- (3) To allow for a variety of methods of child care provision and allow each family to determine the method preferred for the family's children.
- (4) To access available and affordable child care by parents.
- (5) To encourage the state to access all available federal funds for child care.

(c) The committee's program of study must include consideration of the following:

- (1) The effect of child care and child care regulation on families.
- (2) Encouragement of high quality child care through committee assessment and recommendation of nationally recognized child care provider quality accreditation organizations.
- (3) A review of child care models from other states.
- (4) Ensuring the safety of the child.
- (5) Any need for reorganization and refocusing of governmental agencies responsible for regulation of child

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1           **care.**  
2           **(d) The report required under subsection (a)(2) must include**  
3           **recommendations concerning:**  
4           **(1) continued legislative monitoring of child care regulation**  
5           **by the committee or another legislative committee; and**  
6           **(2) any amendment to the system of child care regulation that**  
7           **the committee determines is necessary.**  
8           **Sec. 6. This chapter expires November 1, 2006.**  
9           SECTION 3. IC 12-17.2-3.1 IS REPEALED [EFFECTIVE UPON  
10          PASSAGE].  
11          SECTION 4. An emergency is declared for this act.

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SENATE MOTION

Madam President: I move that Senator Antich-Carr be added as coauthor of Senate Bill 376.

LAWSON C

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SENATE MOTION

Madam President: I move that Senator Breaux be added as coauthor of Senate Bill 376.

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## COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 376, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 1, delete "Six (6)" and insert "**Two (2)**"

Page 2, line 2, delete "Not more than" and insert "**Members appointed under this subdivision may not be members of the same political party.**".

Page 2, delete lines 3 through 4.

Page 2, line 5, delete "Six (6)" and insert "**Two (2)**".

Page 2, line 6, delete "Not more than three (3) members" and insert "**Members appointed under this subdivision may not be members of the same political party.**".

Page 2, delete lines 7 through 8.

Page 2, between lines 8 and 9, begin a new line block indented and insert:

**"(3) The director of the division of family and children or the director's designee.**

**(4) The commissioner of the department of workforce development or the commissioner's designee.**

**(5) One (1) individual who holds a degree in the study of early childhood development.**

**(6) One (1) administrator of an elementary school.**

**(7) One (1) individual who operates or administers a Head Start program.**

**(8) One (1) individual who operates or administers a child care center.**

**(9) One (1) individual who operates or administers a class I child care home.**

**(10) One (1) individual who operates or administers a class II child care home.**

**(11) One (1) individual who operates or administers a child care ministry.**

**(12) One (1) individual who operates or administers an after school care program.**

**(13) One (1) individual who operates or administers child care in an employer offered setting.**

**(14) One (1) individual who is a consumer of child care and who does not operate or administer a child care program.**

**(15) The state fire marshal or the state fire marshal's**

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designee."

Page 2, line 9, delete "two (2)" and insert **"the members listed in subsections (b)(5), (b)(8), (b)(9), (b)(12), and (b)(14). In making the appointments, the president pro tempore of the senate shall attempt to appoint individuals that represent both rural and urban areas. The senate pro tempore shall appoint a member described in subsection (b)(2) as chairperson of the committee in 2006."**

Page 2, delete lines 10 through 12.

Page 2, line 13, delete "two" and insert **"the members listed in subsections (b)(6), (b)(7), (b)(10), (b)(11), and (b)(13). In making the appointments, the speaker of the house of representatives shall attempt to appoint individuals that represent both rural and urban areas. The speaker of the house of representatives shall appoint a member described in subsection (b)(1) as chairperson of the committee in 2005."**

Page 2, delete lines 14 through 16.

Page 2, line 19, delete "may" and insert **"shall"**.

Page 2, line 25, after "study" insert **"the system of"**.

Page 2, line 26, after "concerning" insert **"the system of"**.

Page 2, delete lines 39 through 40, begin a new line block indented and insert:

**"(4) To access available and affordable child care by parents.**

**(5) To encourage the state to access all available federal funds for child care."**

Page 3, delete lines 7 through 20, begin a new line block indented and insert:

**"(3) A review of child care models from other states.**

**(4) Ensuring the safety of the child regardless of the child care setting."**

and when so amended that said bill do pass.

(Reference is to SB 376 as introduced.)

MILLER, Chairperson

Committee Vote: Yeas 10, Nays 0.

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SENATE MOTION

Madam President: I move that Senate Bill 376 be amended to read as follows:

Page 3, line 40, delete "child regardless of the child care" and insert "**child.**".

Page 3, delete line 41.

(Reference is to SB 376 as printed February 18, 2005.)

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